
From: "Marks, Jonathan" <jmarks@pa.gov>
Sent: 7/7/2020 2:52:00 PM +0000
To: "Olivieri, Deborah" <DOlivieri@countyofberks.com>; "Boockvar, Kathryn" <kboockvar@pa.gov>
Subject: Re: Re: Help on regulations related to business donations to county election offices

Hi Debbie,

Below is a summary of the answer we received from our own counsel regarding donations. Unfortunately, it is something your solicitor would have to review in the context of the County Code and the county's procurement rules.

I would expect that the advice regarding the partisan nature of elections and the potential conflicts of interest would be good advice for a county election office as well.

Any donations directly to the counties would need to be evaluated by the county solicitors based on their rules governing the specific county. As far as donations to the Commonwealth, the Department could accept those pursuant to Section 513 of the Administrative Code of 1929, 71 P.S. § 193. Although the practice of accepting donations is allowed there are some things to consider especially if the donation is going to be used to support the Department's election efforts. Because elections are partisan in nature and the Department has the responsibility to remain nonpartisan in executing its duties in overseeing the election process in the Commonwealth, any type of donation will need to be properly vetted in order to ensure that the Department's duties regarding elections are not compromised by an actual conflict of interest and that the donation does not create a public perception that would call into question the Department's impartiality/neutrality in election matters.

Jonathan Marks
Deputy Secretary for Elections and Commissions
Pennsylvania Department of State
Desk Phone: (717) 783-2035
Mobile: (717) 649-0671
From: Olivieri, Deborah <DOlivieri@countyofberks.com>
Sent: Tuesday, July 7, 2020 10:35 AM
To: Marks, Jonathan; Boockvar, Kathryn
Subject: FW: Help on regulations related to business donations to county election offices

Jonathan

I forwarded to the State a few weeks ago and wanted to know if this can be done.

Thanks
Debbie

I hope things are going well in Berks County. I'm writing to see if you could help me determine what business donations might be appropriate for county election offices. Our organization is building a "match-making" platform for businesses to support the needs of election officials in 10 states (PA included) -- things like scanners, pens, PPE, poll workers, facilities, etc.

We want to make sure we understand the rules around donations like this so we can best position the platform for both businesses and county election offices.

Could you please let me know where I might be able to find this information? Thanks so much for your help Christian.

Best,
-Joe

--
Joe Petrucci
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Wall Street Journal article on our organization's work
Our organization's statement on the police killing of George Floyd

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